

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PA ADVISORS, LLC,

Plaintiff,

v.

**GOOGLE, INC., et al.,
Defendants.**

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Civil Action No. 2:07-cv-480-RRR

JURY TRIAL DEMANDED

FILED UNDER SEAL

ORDER

On this day the Court considered the Motion of the Plaintiff, styled PA Advisors, LLC's Motion in Limine and *Daubert* Motion to Exclude the Testimony of Gerald J. Mossinghoff. Having considered the motion, and all of the respective parties' briefing and arguments, the Court determines that the Motion should be and is hereby granted as follows:

1. Mr. Mossinghoff's opinion on "Breach of the Duty on Candor and Good Faith" is excluded.
2. Mr. Mossinghoff's opinion that the Dasan and Siefert patents are material because they are inconsistent with positions taken by the patentee is excluded as untimely.
3. Mr. Mossinghoff's testimony on patent law and procedures is excluded.